



Privacy Notice

Data Protection Complaints, Concerns and Investigations

Personal information you provide to the council will be kept safe and secure whether it is written or on a computer system. We will treat any personal information confidentially and will comply with the Data Protection Act 2018. This means that, if we keep any of your personal data we must:

- tell you what information we need to collect from you
- only use the information for the reason we have agreed with you
- not ask for more information than we need to provide the services
- let you see any information we have collected about you, on request
- keep the information safe, secure and confidential
- destroy personal information in accordance with council policy

Data Protection Officer

Cumbria County Council is required by Article 37 of the General Data Protection Regulation (GDPR) to appoint a Data Protection Officer. This privacy notice explains how the DPO processes personal or special category personal data collected as part of their role, that includes:

- advising the council as a data controller on their data protection obligations;
- monitoring compliance with the GDPR and data protection risk;
- co-operating with the Information Commissioner in relation to data processing activities and complaints;
- responding to employee and customer complaints and concerns.

Data Collection

Data will be provided to or collected by the Data Protection Officer in the following ways:

- By email
- By online form
- By letter

Data Categories

When you contact the Data Protection Officer you are voluntarily providing data regarding your complaints and concerns about the use of your data or the data of someone you legally represent.

The DPO has a duty to investigate non-compliance and poor practice, so in the course of correspondence it is likely that the following categories of personal data will be required to ensure that effective investigations are carried out and recommendations for improvement made:

- Address
- Date of Birth
- Legal or Other Representatives
- Name
- Next of Kin
- Personnel Number (or another identifier)
- Preferred Contact Details

Similarly, based on the scope of your complaint/concern the Data Protection Officer may require access to or ask you to provide further details of the following 'special categories' of more sensitive personal data:

- Criminal Record
- Employment
- Finance
- Gender
- Health
- Sexuality

Legal Basis for Processing Data

To process the personal data listed above the Data Protection Officer must be able rely on one or more legal bases contained in GDPR Article 6. Your personal data is being processed in accordance with:

- **GDPR Article 6(1)(c)** processing is necessary for compliance with a legal obligation to which the controller (the council) is subject

Where the council is relying on GDPR Article 6(1)(c) all [Relevant Legislation](#) is listed below.

To process the special categories of personal data listed above the Data Protection Officer must be able rely on one or more legal bases contained in GDPR Article 9. Your special category personal data is being processed in accordance with (but not limited to):

- **GDPR Article 9(2)(b)** processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the controller or the data subject in the field of employment and social security and social protection law
- **GDPR Article 9(2)(c)** processing is necessary to protect the vital interests of the data subject or another natural person where the data subject is physically or legally incapable of giving consent
- **GDPR Article 9(2)(e)** processing relates to personal data which are manifestly made public by the data subject

Relevant Legislation

The legal bases above are underpinned by acts of legislation that dictate what actions can and should be taken by the Data Protection Officer, including:

- General Data Protection Regulation (GDPR)
- Data Protection Act (2018)
- United Kingdom General Protection Regulation (UK-GDPR)

Redaction

When disclosing information to you in your preferred format the Data Protection Officer will routinely redact the following details:

- information relating to other individuals who have not consented to disclosure;
- information agreed to be confidential;
- information that is commercially or financially sensitive;
- recent employee or customer signatures.

Data Sharing

The Data Protection Officer, while investigating your complaint/concern may contact the following:

- Internal CCC Services
- NHS
- Police
- Other Local Authorities
- Information Commissioner
- Other regulatory bodies

Data Security and Retention

The information you supply will be kept on a secure council system and can only be accessed by authorised employees within the Information Governance and Investigations Team, Legal and Democratic Services.

Your personal information will be deleted, if appropriate, in accordance with the council's Retention and Disposal Schedule.

Complaints

If you have any concerns about the information contained in this Privacy Notice or about the way the council has processed your data, please contact the Data Protection Officer via:

Post: Cumbria House, 117 Botchergate, 1st Floor, Legal and Democratic Services, Carlisle, Cumbria CA1 1RD

Email: dataprotection@cumbria.gov.uk.

Last Updated: October 2020